



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q80553

Toshiro HAYAKAWA

Appln. No.: 10/804,216

Group Art Unit: 3616

Confirmation No.: 6095

Examiner: Dung T. NGUYEN

Filed: March 19, 2004

For: SURFACE-EMITTING SEMICONDUCTOR LASER ELEMENT HAVING  
SELECTIVE-OXIDATION TYPE OR ION-INJECTION TYPE CURRENT-  
CONFINEMENT STRUCTURE, InGaAsP QUANTUM WELL, AND InGaP OR  
InGaAsP BARRIER LAYERS

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Election of Species Requirement dated April 18, 2006, Applicant elects Species I for prosecution, without traverse. Claims 1-3, 7, 9 and 10 read thereon. Applicant reserves the right to file a Divisional application directed to non-elected subject matter.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: May 17, 2006